IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1212 OF 2004

Mrs.Meena Vashu Kukreja ...Applicant

Versus

Shri Vashu Gokuldas Kukreja & Ors. ...Respondents

.....

Mr.N.V.Badiwadekar for Applicant.

Mr.S.V.Kotwal with Mr.M.S.Mohite for Respondent No.1.

Mr.A.S.Gadkari, A.P.P. for Respondent No.4.

.....

CORAM: A.M.KHANWILKAR, J.

OCTOBER 1, 2004.

P.C.

1. Heard Counsel for the parties. Main Application is already admitted by order dated 27th August 2002 after hearing Counsel for the Applicants therein and the A.P.P. for the State.

2. The argument canvassed before me in this Application is that Application under Section 482

of the Code of Criminal Procedure, 1973 is not maintainable, once remedy of revision was invoked before the Sessions Court. I see no substance in this argument, inasmuch as merely because a party has invoked remedy of revision before the Sessions Court, there is nothing in law to prevent that party to take up the matter by way of application under Section 482 of the Code of Criminal Procedure before the High Court. Both the remedies are independent remedies.

3. As the matter is already admitted, on this contention, the order passed on 27th August 2002 need not be recalled. Hence, this Application is disposed of with direction to expedite the hearing of the main Application being Criminal Application No.259 of 2002. The same be listed in the week commencing from 22nd November 2004 under the caption ‘for final disposal’.

A.M.KHANWILKAR, J.